

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BELL ATLANTIC MOBILE OF
MASSACHUSETTS CORPORATION,
LTD. d/b/a VERIZON WIRELESS

Plaintiff,

v.

CITY OF CAMBRIDGE,
MASSACHUSETTS; CITY OF
CAMBRIDGE BOARD OF ZONING
APPEAL; and CONSTANTINE
ALEXANDER, TIMOTHY HUGHES,
BRENDAN SULLIVAN, THOMAS
SCOTT, JANET O. GREEN,
DOUGLAS MYERS, SLATER W.
ANDERSON, LINDSEY T. THORNE-
BINGHAM, AND ANDREA A.
HICKEY, as they are the Members and
Associate Members of the City of
Cambridge Board of Zoning Appeal,

Defendants

Civil Action No. 14-CV-10431-RGS

JOINT MOTION TO EXTEND SCHEDULING ORDER

The parties to the above-captioned action jointly request that the Court extend the Scheduling Order by forty-five (45) days. In support of this Motion, the parties state as follows:

1. This lawsuit was filed on February 26, 2014.
2. Defendants filed a Motion to Dismiss, which was denied by this Court.

3. The parties submitted their Joint Statement proposing scheduling order deadlines. The Court approved the proposed deadlines on or about September 9, 2014, and the current schedule is as follows:

- Initial Disclosures due September 5, 2014;
- Dispositive Motions due on or before January 12, 2015 with Oppositions due within 21 days of filing.

4. The parties have exchanged Initial Disclosures.

5. The parties have been engaged in active settlement negotiations over the last few months and are working towards a resolution, and have been in discussions related to an alternative proposal. Due to the nature of a public board of zoning appeals, additional time is needed to review and make any determination related to the proposal

6. If this matter cannot be resolved by the parties, the parties intend to file for summary judgment; however, additional time is needed for the parties to pursue settlement negotiations.

7. Extending the scheduling order by forty-five days so that the summary judgment deadline will be moved to February 27, 2015 will not prejudice any party or the Court.

8. This is the parties' first request for an extension of the scheduling order.

WHEREFORE, the parties respectfully request the Court to extend the Scheduling Order by forty-five (45) days to allow for a new summary judgment deadline of February 27, 2015.

**PLAINTIFF,
BELL ATLANTIC MOBILE OF
MASSACHUSETTS CORPORATION, LTD.
d/b/a Verizon Wireless,**

By its attorneys,

/s/ Danielle Andrews Long
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**DEFENDANTS,
CITY OF CAMBRIDGE and
MEMBERS AND ASSOCIATE
MEMBERS OF THE CITY OF
CAMBRIDGE BOARD OF ZONING
APPEAL,**

By its attorney,

/s/ Paul S. Kawai
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Dated: December 10, 2014

CERTIFICATE OF SERVICE

I, Danielle Andrews Long, hereby certify that a copy of the foregoing document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those, if any, indicated as non-registered participants on this 10th day of December, 2014.

/s/ Danielle Andrews Long
Danielle Andrews Long